



BRIEF CASE

SUMMARY: One day after a visit to the chiropractor, the patient sustained a right vertebral artery dissection and suffered a stroke. The chiropractor was sued for allegedly causing the patient's condition.

The Patient and Condition

The patient was a 39-year-old male, and he presented to the insured with chief complaints of intermittent and work-related lower back pain and spasms with a severity scale of "1".

The Treatment

Various X-rays were performed, including lateral cervical, A-P cervical, lateral lumbar, and A-P lumbar. The treatment plan consisted of chiropractic manipulation including the neck and spine.

At the last visit with the insured, treatment consisted of a diversified technique and cervical adjustment, with the patient lying on his back in the supine position with more of a lateral flexion rather than rotation. The insured performed an HVLA thrust. The patient was reportedly fine getting off the table, and he proceeded to other treatment modalities without complaint.

The Injury

The day after the last adjustment, the patient demonstrated stroke like symptoms, including sudden onset of nausea, vomiting, dizziness, difficulty swallowing, and right face and body numbness. He was taken to a local hospital and a physical exam revealed positive pronator drift of the right upper extremity. CT scans demonstrated probable right vertebral artery dissection with distal occlusion and probable infarct developing in the right cerebellum.

His condition deteriorated and he was life flighted by helicopter to a larger hospital. An MRI confirmed the stroke extended from lateral medulla to right cerebella, and a CTA showed distal right vertebral artery occlusion.



The patient was in the ICU for several days and underwent daily CT scans that showed stable progression of stroke. The patient was later transferred to a rehabilitative inpatient care facility.

Currently, the patient has paralysis in his vocal cords, he remains on a permanent PEG feeding tube, and claims he is no longer able to work as a laborer. He is married with a young son, and his wife alleged a derivative claim for loss of consortium.

The Allegations

Allegations against the chiropractor included:

- Improper chiropractic manipulation and unnecessary or contraindicated maneuvers.
- Failure to evaluate for cervical instability before performance of traction, failure to perform cerebral vascular evaluation and, failure to perform open mouth X-rays to evaluate for cervical instability.

The Defense

Overall, the close proximity between the onset of symptoms and the cervical adjustment made the case challenging to defend.

The Outcome

Damages in this case were significant, and there was concern for the potential of a substantial verdict. So, for that reason, the case was settled.

Risk Management Tips

- **Thoroughly document orthopedic and neurological tests in the chart.** These tests help identify conditions such as nerve compression, joint dysfunction, or muscle weakness.
- **Document any new and present symptoms.** For example, headaches or dizziness – and document improvement levels and range of motion after adjustments. Tracking progress at each visit shows comparisons over time, including improvements or deteriorations.
- **Know when to be cautious.** For some patients, gentle adjustments with low-force techniques may be better. As an example, some blood pressure medications can affect circulation and dizziness in patients, which may require modified treatment approaches.
- **Communicate and collaborate with other healthcare providers.** This could include other treating physicians. It's important to obtain a thorough history and physical prior to treatment. And remember to document – having detailed records leads to coordinated and effective patient care.

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